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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KAREN NOVICK,

09 CV 6865 (RKE)

Plaintiff,

NOTICE OF MOTION

-against-

METROPOLITAN LIFE INSURANCE COMPANY  
AND METLIFE OPTIONS AND CHOICES PLAN  
NO. 512,

ECF Case

Defendants.

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PLEASE TAKE NOTICE that, upon the accompanying Affirmation of Alan H. Casper, dated January 23, 2013, and the exhibits annexed thereto, Affirmation of Scott M. Riemer, dated January 23, 2013, and the exhibits annexed thereto, and the Memorandum of Law simultaneously filed herewith and upon all prior pleadings and hearings previously had herein, plaintiff will move this Court before the Honorable Richard K. Eaton, sitting by designation at the United States District Court, 500 Pearl Street, New York, New York, 10007, at a time designated by the Court, for an order awarding attorneys' fees and costs under ERISA §502(g)(1), prejudgment interest at the 9% New York statutory interest rate, and for such other relief as the Court deems just and proper.

Dated: Philadelphia, PA  
January 23, 2013

/s/ Alan H. Casper  
Alan H. Casper, Esquire  
PA Attorney I.D. #47081  
Attorney for Plaintiff  
1845 Walnut Street – Suite 1500  
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acasper@alanhcasperesq.com

Dated: New York, New York  
January 23, 2013

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By: /s/Scott M. Riemer  
Scott M. Riemer (SR5005)

TO:

Michael H. Bernstein, Esq.  
Sedgwick LLP  
225 Liberty Street, 28<sup>th</sup> Floor  
New York, NY 10281-1008  
Michael.Bernstein@sedgwicklaw.com

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2013, I served a true and complete copy of the foregoing Notice of Motion by transmitting the same by electronic mail to the following individuals at the e-mail addresses indicated:

Michael H. Bernstein, Esq.  
Sedgwick LLP  
225 Liberty Street, 28<sup>th</sup> Floor  
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Michael.Bernstein@sedgwicklaw.com

I also certify that this document filed through the ECF system will be sent electronically to all registered participants on January 23, 2013.

Dated: New York, New York  
January 23, 2013

/s/ Scott M. Riemer  
Scott M. Riemer (SR 5005)  
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